Joy Riders Guilty of Conspiracy.—Louis Davis, a doctor's chauffeur, disregarded his instructions to put the automobile in the garage, and at about 12 o'clock one night went out for a spin with his chums, whom he met at a "blind tiger." The automobile, going at a rapid speed, 35 or 40 miles an hour, and wobbling from side to side, soon struck a horse and buggy, threw out the occupants, but fortunately without serious injury, and was itself badly wrecked. The defendants were sentenced to imprisonment for five years. This sentence was upheld by the Supreme Court of South Carolina in State *v.* Davis, 70 Southeastern Reporter, 811. Criminal conspiracy to use the automobile of another without his consent was one of the counts under which defendants were found guilty. The court holds that a criminal conspiracy is not restricted to unlawful acts which affect the community or public, as distinguished from the individual, a conspiracy being a combination of persons to accomplish a criminal or unlawful object, or an object neither criminal nor unlawful by criminal or unlawful means.

The "Patent Medicine" Case.—The United States Supreme Court has decided a "patent medicine case" in Dr. Miles Medical Co. *v.* John D. Park & Sons Co., 31 Supreme Court Reporter, 376. The Miles Co. is an Indiana corporation engaged in the manufacture and sale of proprietary medicines. It has been its practice to sell to jobbers and wholesale druggists, who in turn sell to retail druggists for sale to the customer. In the case of each remedy it has fixed not only the price of its own sales to jobbers, but also the wholesale and retail prices. To accomplish this result it has adopted two forms of restrictive agreements, limiting trade in the articles to those who become parties to one or the other. Defendant is a drug concern which has refused to enter into the required contract, and is charged with procuring medicines at cut prices, and thereby maliciously interfering with a contract between two parties and inducing one of them to break that contract. The principal question is as to the validity of the restrictive agreements. The contracts are skillfully drawn, and purport to appoint the party with whom made one of the Miles Company agents to receive goods for sale, the title thereto to remain in the company until sold in accordance with the provisions of the contract. The gist of these provisions is that the consignee must sell only to certain designated retail agents as specified in the lists furnished, and not to sell below a mimimum price dictated by the Miles Company. The court holds that the agreements are in restraint of trade, and that a manufacturer cannot in the absence of statutory right, even though the restriction be known to purchasers, fix prices for further sales. Quoting the court: "The complainant having sold its products at prices satisfactory to itself,

the public is entitled to whatever advantage may be derived from competition in the subsequent traffic."

Policeman Have Rights.—One dark night a policeman, while patrolling his beat, noticed a door partly open. After summoning a fellow policeman, he pushed open the door, stepped through the doorway into the unlighted and dark interior, and was suddenly precipitated to the bottom of an unguarded freight elevator shaft. He died from the injuries received. His widow, alleging negligence in not having the shaft properly guarded as provided for by statute, brought suit to recover damages. Defendant contended that it owed no duty to a policeman. The Court of Appeals of New York in Racine *v.* Morris, 94 Northwestern Reporter, 864, holds that, as policemen are required at all times of the day and night to protect the rights of persons and property, intestate was lawfully in the building in discharge of his duties; and, since the statute in question was enacted for the protection of all persons lawfully upon the premises of another, the duty imposed by the statute to guard elevator shafts was for intestate's benefit, and defendant was liable for failure to comply therewith.

Etiquette Is Fatal.—Etiquette, we know, is prescribed for, and required by, good breeding, to be observed in social or official life; but since the case of State *v.* Flanakin, 54 Southern Reporter, 940, we are left in doubt as to the propriety of conventional decorum with a jury. Defendant was tried for murder, and the polite jury brought in a verdict reading as follows: "We, your jury, beg leave to return a verdict of manslaughter." Defendant filed a motion in arrest of judgment on the ground that the jury had failed to find him guilty or not guilty, and had brought in no verdict which would afford a sufficient basis for exception. The motion being denied, an appeal was taken. The Supreme Court of Louisiana holds that the motion should have been sustained. The court says: "The jury was expected by its verdict to answer the question, 'Is the accused guilty or not guilty?' and it has not answered it." The result might have been different had the judge been equally polite, and answered their "beg leave to" with a kind, "Yes, sirs; you may," and then received the verdict.